

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) for Approval of its Energy Savings Assistance and California Alternate Rates for Energy Programs and Budgets for Program Years 2015-2017.

Application 14-11-007

And Related Matters.

Application 14-11-009

Application 14-11-010

Application 14-11-011

**DECISION ON INTERVENOR COMPENSATION CLAIM OF CALIFORNIA
HOUSING PARTNERSHIP CORPORATION**

Intervenor: California Housing Partnership Corporation	For contribution to: Decision (D.) 17-12-009
Claimed: \$71,632.50	Awarded: \$70,173.13
Assigned Commissioner: Clifford R. Rechtschaffen	Assigned ALJ: W. Anthony Colbert

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	D.17-12-009 grants, in part, and denies, in part, two Petitions for Modification of Decision (D.) 16-11-022 in which the Commission adopted budgets and program directives for the investor-owned energy utilities' (IOUs) administration and participation in the California Alternate Rates for Energy (CARE) and Energy Savings Assistance (ESA) Programs for 2017 through 2020.
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference:	February 20, 2015	Verified

2. Other specified date for NOI:	N/A	
3. Date NOI filed:	March 23, 2015	Verified
4. Was the NOI timely filed?		Yes
Showing of eligible customer status (§ 1802(b) or eligible local government entity status (§§ 1802(d), 1802.4):		
5. Based on ALJ ruling issued in proceeding number:	R.14-07-002	No ruling found granting customer status in named proceeding.
6. Date of ALJ ruling:	7/10/2014	No ruling found on this date for the California Housing Partnership Corporation in named proceeding.
7. Based on another CPUC determination (specify):	N/A	D. 17-03-024
8. Has the Intervenor demonstrated customer status or eligible government entity status?		Yes
Showing of “significant financial hardship” (§1802(h) or §1803.1(b))		
9. Based on ALJ ruling issued in proceeding number:	A.14-11-007	Verified
10. Date of ALJ ruling:	2/8/17	Correct date: 3/28/17
11. Based on another CPUC determination (specify):	N/A	
12. Has the Intervenor demonstrated significant financial hardship?		Yes

Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	(D.) 17-12-009	Verified
14. Date of issuance of Final Order or Decision:	12/20/2017	Verified
15. File date of compensation request:	2/9/2018	Verified
16. Was the request for compensation timely?		Yes

C. Additional Comments on Part I:

#	Intervenor's Comment(s)	CPUC Discussion
1	Filed Motion to allow an amended Notice of Intent to claim intervenor compensation on March 18, 2016.	Noted.

PART II: SUBSTANTIAL CONTRIBUTION**A. Did the Intervenor substantially contribute to the final decision (see § 1802(j), § 1803(a), 1803.1(a) and D.98-04-059).**

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
1. Joint IOUs PFM: Clarity on Additional "Data Beyond Single Point of Contact" (SPOC) Reporting	<p>D. 17-12-009 at 16-17: "Therefore, we modify the directive to <u>require the IOUs to conduct and report an annual analysis</u> of the square footage, energy consumption, ESA program participation and time since last retrofit of non-deed restricted MF properties with a high percentage of low income tenants... This process should be vetted by the MF Working Group."</p> <p>D. 17-12-009 at 15 cited NRDC/CHPC/NCLC Joint Response at 2-3: "In response, the <u>Joint Parties argue that the data collection is critical</u> for evaluating whether the approximately one-million low-income households living in non-deed restricted housing should be eligible for more comprehensive services and to inform the recommendations of the MF working group for any mid-cycle adjustments or consideration in the next program cycle, and delegating to the MF working group whether AMI energy potential data is a helpful reporting requirement."</p>	Verified
2. Joint IOUs PFM: Directive to Create End-Use Customer Profiles	D. 17-12-009 at 43: "We conclude that the <u>directive for statewide RFP should be retained for the reasons noted above by opposing parties.</u> "	Verified

	<p>D. 17-12-009 at 42 cited NRDC/CHPC/NCLC Joint Response at 1-2: “NRDC, <u>CHPC</u>, and NCLC state that while the IOUs argue that the vendor ecosystem for NILM and disaggregation are nascent, analytics vendors have been developing and deploying innovative solutions in this space and working with California utilities to deploy and improve these tools. <u>A statewide RFP will present an opportunity to see the level and type of services available in the marketplace.</u> Allowing the utilities to develop analytics solutions with internal resources exposes the ESA program to inconsistent, duplicative, and non-uniform solutions across IOU territories instead of a common approach.”</p>	
<p>3. Joint IOUs PFM: RFPs for Remote Load Monitoring and End-Use Profile Development/DRAM Integration</p>	<p>D. 17-12-009 at 50: <u>“We shall retain the directive for a statewide RFP.”</u></p> <p>D. 17-12-009 at 50 cited NRDC/CHPC/NCLC Joint Response at 1-2: “NRDC, <u>CHPC</u>, and NCLC state that while the IOUs argue that the vendor ecosystem for NILM and disaggregation are nascent, analytics vendors have been developing and deploying innovative solutions in this space and working with California utilities to deploy and improve these tools. <u>A statewide RFP will present an opportunity to see the level and type of services available in the marketplace.</u> Allowing the utilities to develop analytics solutions with internal resources exposes the ESA program to inconsistent, duplicative, and non-uniform solutions across IOU territories instead of a common approach.”</p>	Verified
<p>4. Joint Parties PFM filed on April 24, 2017: Establish an</p>	<p>D. 17-12-009 at 55-56: <u>“The IOUs shall file a Tier 2 Advice Letter outlining</u></p>	Verified

<p>implementation and reporting timeline for the new ESA Rent-restricted MF program.</p>	<p><u>their respective implementation plans for their MF common area activities as detailed in D.16-11-022, by March 1, 2018.</u></p> <p><u>Prior to submittal of the Advice Letter, the IOUs shall submit their draft implementation plans to the MF working group by January 15, 2018. The MF working group shall confer and the MF working group facilitator shall submit recommendations to the MF working group (which includes IOU members) identifying areas of consensus among stakeholders, and identifying any areas discussed where there is not consensus by January 30, 2018. Also by February 13, 2018, individual stakeholders may submit separate recommendations to the MF working group addressing issues where there is not consensus. After making appropriate modifications, the IOUs shall submit the Advice Letter as described above...</u></p> <p>D. 17-12-009 at 52 cited Joint Parties PFM at 2-3: “In their PFM, 112 CHPC, NRDC, and NCLC seek to establish an implementation and reporting timeline for the new ESA Rent-restricted MF program requirements. <u>Specifically, they request that the IOUs submit their proposed ESA MF program designs via a supplemental Advice Letter filing by no later than June 30, 2018.</u>”</p> <p>D. 17-12-009 at 54-55: “TURN and Greenlining support Joint Parties’ requested relief and request to <u>direct the IOUs to (1) confer with the MF Working Group in designing the new program and subsequently, and (2) submit their proposed program plans through a compliance Advice Letter 90 days after establishment of the working group... CHPC, NRDC, and NCLC support the deadline for the advice letter</u></p>	
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	proposed by TURN and Greenlining.”	
5. Joint Parties PFM: Provide additional direction and clarity for the MF Working Group.	<p>D. 17-12-009 at 59-60: “As described above, <u>we direct the IOUs to review and discuss their MF implementation plans with the working group, to seek to establish consensus on key issues, prior to submitting their plans in a Tier 2 advice letter filing on March 1, 2018.</u> By December 31, 2018, the MF Working Group shall develop and submit an initial progress report of its findings and recommendation(s) on sustaining successes and overcoming challenges of the ESA MF implementation effort and coordination directives of the ESA MF efforts with mainstream EE MF programs/CSD LIWP program.”</p> <p>D. 17-12-009 at 58 cited Joint Parties PFM reply at 6: “<u>CHPC, NRDC, and NCLC, in reply, request that a date certain be required for the Working Group to begin</u> and to make clear that stakeholders can bring to the table for discussion all issues relating to MF program design and delivery and support TURN and Greenlining’s recommendation to adopt the approach used in A. 11-05-017 to form the MF working group.”</p>	Verified
7. Joint Parties PFM: Ensure the Mid-Cycle Working Group stakeholder processes are open and transparent.	<p>D. 17-12-009 at 68: “<u>We shall adopt a petition process for any additional parties that are interested in joining the working group.</u> This approach will ensure that the make-up of the working group remains informed, balanced and productive in its review and exploration issues as originally intended in D.12-08-044.”</p> <p>D. 17-12-009 at 65 cited Joint Parties</p>	Verified

	<p>PFM reply at 8-9: “NRDC, CHPC, and NCLC’s PFM request that the Commission ensure that the mid-cycle working group process is open and transparent by conducting an open application process for new members and/or otherwise regularly present opportunities for parties from this proceeding to participate prior to reviewing a “draft proposal” on the record.”</p>	
<p>9. Multifamily Working Group”: Participate in MF Working Group to inform ESAP implementation</p>	<p>D. 17-12-009 at 52-60 discusses the responsibilities and timeline of the Multifamily Working Group required by D.16-11-022 and as modified by this decision. California Housing Partnership has actively participated in and contributed to the MF Working Group since its inception, including:</p> <ul style="list-style-type: none"> • Participating in each MFWG meeting and in the MFWG planning committee • Co-developing the Joint Parties ESAP Program Design Checklist submitted 7/18/17 • Recruiting and preparing multifamily property owners to participate as panelists in MFWG meeting on 12/13/17 • Making presentations at MFWG meetings on 8/24/17 and 9/13/17 • Co-developing Joint Parties comments for the MFWG submitted on 12/4/17, 1/8/18, 1/24/18 and 2/7/18 	Verified

B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?	Yes	Verified
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: CHPC co-led joint position development and collaborated with National Consumer Law Center (NCLC) and Natural Resources Defense Council (NRDC) in problem-solving sessions throughout the proceeding. We also found common goals with The Utility Reform Network (TURN) and The Greenlining Institute through collaborative problem-solving.		Verified
d. Intervenor's claim of non-duplication: <u>Problem-solving with partners NCLC and NRDC:</u> CHPC is a leading expert on the barriers to energy efficiency participation by low-income renters and affordable rental housing owners and managers in California. CHPC established the Green Rental home Energy Efficiency Network (GREEN) in 2010, with more than 50 nonprofit affordable housing organizations, to collaboratively increase access to energy efficiency and renewable energy resources for low-income renters and affordable housing properties. Accordingly, CHPC led joint position development and problem-solving for issues requiring expertise of participation barriers to low-income renters and affordable multifamily housing property owners. CHPC, NCLC and NRDC used problem-solving sessions to outline participation barriers, identify policy solutions, and develop program recommendations. Our organizations explicitly share goals for increasing energy efficiency in multifamily housing serving low-income residents, and each have different areas of expertise. We carefully divided issues by expertise in order to prevent duplicative work. NCLC led on legal issues, as well as energy efficiency programs from other states. NRDC led on energy savings goals, cost effectiveness, case studies from other states, and specific energy efficiency measures such as heat pumps and power strips. CHPC, NRDC and NCLC developed joint positions by analyzing documents and sharing summaries based on each organization's expertise. Using the common outline from problem-solving sessions, one group would draft comments based on their area of expertise and organize the		Noted

<p>document. Next, the other two groups would add their unique expertise and revisions. This process simplified the drafting and review of our joint position and recommendations to the Commission.</p> <p>This Intervenor Compensation claim reflects time necessary to develop joint positions on key issues in the proceeding, analyze and draft responses to IOU PFMs and Advice Letters, and draft Joint Parties PFM.</p> <p>This request <u>does not include</u> hours for coordination logistics with NCLC, NRDC and other parties. It also excludes hours necessary for CHPC staff to become experts on energy efficiency participation barriers for low-income renters and affordable housing owners.</p> <p><u>Collaboration with Other Parties:</u> CHPC collaborated with Carmelita Miller at The Greenlining Institute throughout the PFM process and on Multifamily Working Group engagement. We also consulted with TURN.</p>	
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PART III: REASONABLENESS OF REQUESTED COMPENSATION

A. General Claim of Reasonableness (§ 1801 and § 1806):

<p>a. Intervenor’s claim of cost reasonableness: CHPC advocates for the interests of low-income multifamily tenants and affordable housing building owners and managers. CHPC has significant experience in affordable housing policy and finance, and works with multifamily housing owners and tenants on energy efficiency retrofits. CHPC made specific program recommendations in order to improve the ESA program and to meet owners and tenants needs under feasible requirements. CHPC’s substantial contribution to the decision is detailed in Part II.</p>	<p><u>CPUC Discussion</u> CHPC has made efforts to keep costs reasonable in this phase of the proceeding.</p>
<p>b. Reasonableness of hours claimed: CHPC coordinated with other parties to avoid duplication of efforts (Part II(B)(d)). CHPC’s total hours claim is conservative for the following reasons:</p> <p>1. CHPC assigned work internally to those best suited for the particular tasks. Caroline McCormack, CHPC’s Sustainable Housing Policy Manager, had primary responsibility for substantive research, drafting comments and reviewing filings and proceeding documents. Stephanie Wang, CHPC’s Policy Director, advised Caroline on strategy and provided final review of filings. Blanca De La Cruz, CHPC’s Sustainable Housing Program Director, engaged in the Multifamily Working Group to share her on-the-ground expertise for removing participation barriers to multifamily property owners in ESAP. Collin</p>	<p>CHPC has claimed reasonable hours for the level of participation in this proceeding, with only minor adjustments detailed below.</p>

Tateishi, CHPC’s Sustainable Housing Policy Analyst, provided research and analysis of filings and comments as needed.

2. CHPC ensured that other parties with similar interests were aware of our position and strategy, as described in Section II B Duplication of Efforts.

3. CHPC’s comments were informed by many hours of consultation with multifamily property owners to deepen the value of comments regarding program improvements, but CHPC does not claim any of this research time toward the proceeding in the interest of keeping this claim reasonable and conservative.

c. Allocation of hours by issue: See Attachment #3 Time Records

CHPC's time is allocated by issue category as follows:			
A	PDEV-JP	Position Development and Problem-solving with Joint Parties	0.3%
B	PDEV-OP	Position Development and Problem-solving with Other Parties	0.5%
C	APP	Work related to analysis of application and drafting comments related to PFMs and	67.6%
D	MFWG	Multifamily Working Group participation, comments, presentations, and contributions	31.5%
TOTAL			100%

CHPC's time is allocated by issue category as follows:			
A	PDEV-JP	Position Development and Problem-solving with Joint Parties	0.0%
B	PDEV-OP	Position Development and Problem-solving with Other Parties	0.0%
C	APP	Work related to analysis of application and drafting comments related to PFMs and	0.0%
D	MFWG	Multifamily Working Group participation, comments, presentations, and contributions	100.0%
TOTAL			100%

Attached time records for Caroline McCormack do not follow CPUC guidelines for using individual lines for each activity reported, adjustments have been made accordingly below.

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Stephanie Wang (Attorney)	2017	2	\$355	See Attachment (Basis for Rates)	\$710	2	\$350 ¹	\$700.00
Blanca De La Cruz	2017	74.5	\$280	See Attachment	\$20,860	74.5	\$280 ¹	\$20,860.00

¹ See CPUC Disallowances and Adjustments for rate details

(Expert)				(Basis for Rates)				
Caroline McCormack (Expert and Advocate)	2017	221	\$180	See Attachment (Basis for Rates)	\$39,780	212	\$180	\$38,160.00
Collin Tateishi (Expert and Advocate)	2017	3.75	\$200	See Attachment (Basis for Rates)	\$750	3.75	\$200 ¹	\$750.00
Blanca De La Cruz (Expert)	2018	29	\$280	See Attachment (Basis for Rates)	\$8,120	29	\$285 ¹	\$8,264.00
Subtotal: \$70,220						Subtotal: \$ 68,735.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Stephanie Wang (Preparer 1)	2018	5	\$177.50	See Attachment (Basis for Rates)	\$887.50	5	\$180 ¹	\$900.00
Collin Tateishi (Preparer 2)	2018	5.25	\$100	See Attachment (Basis for Rates)	\$525	5.25	\$102.50 ¹	\$538.13
Subtotal: \$1,412.50						Subtotal: \$1,438.13		
TOTAL REQUEST: \$71,632.50						TOTAL AWARD: \$70,173.13		
<p>*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors' records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate.</p>								

ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR ²	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation
Stephanie Wang	September 29, 2008	257437	No

C. Attachments Documenting Specific Claim and Comments on Part III (Intervenor completes; attachments not attached to final Decision):

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Basis for Rates
3.	Time Records

D. CPUC Disallowances and Adjustments (CPUC completes):

Item	Reason
1. Rates	<ul style="list-style-type: none"> Stephanie Wang’s 2017 rate was taken from D. 17-03-024 which established a \$350 rate for the attorney. Ms. Wang’s 2018 rate has had the 2018 2.3% COLA applied to establish a rate of \$360. A 2017 rate of \$200 is adopted for Collin Tateishi. A 2.3% COLA was applied to this rate for a 2018 rate of \$205. A 2017 rate of \$280 is established for Blanca De La Cruz with a 2.3% COLA applied for a 2018 rate of \$285.
2. Timesheet Errors	Attached time records for Caroline McCormack do not follow CPUC guidelines for using individual lines for each activity reported. A deduction of 1 hour was made for each instance of multiple activities being placed on a single line for a total reduction of 9 hours.

² This information may be obtained through the State Bar of California’s website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch> .

PART IV: OPPOSITIONS AND COMMENTS

Within 30 days after service of this Claim, Commission Staff or any other party may file a response to the Claim (*see* § 1804(c))

A. Opposition: Did any party oppose the Claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes

FINDINGS OF FACT

1. CHPC has made a substantial contribution to D.17-12-009.
2. The requested hourly rates for CHPC's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$70,173.13

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. California Housing Partnership Corporation shall be awarded \$70,173.13.
2. Within 30 days of the effective date of this decision, Southern California Edison Company, San Diego Gas and Electric Company, Pacific Gas and Electric Company and Southern California Gas Company shall pay California Housing Partnership Corporation respective shares of the award, based on their California-jurisdictional electric revenues for the 2017 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent electric revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning April 25, 2018 the 75th day after the filing of California Housing Partnership Corporation's request, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This decision is effective today.

Dated _____, at Fontana, California.

APPENDIX**Compensation Decision Summary Information**

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1712009		
Proceeding(s):	A1411007, A1411009, A1411010, A1411011		
Author:	ALJ Colbert		
Payer(s):	Southern California Edison Company, San Diego Gas and Electric Company, Pacific Gas and Electric and Southern California Gas Company		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
California Housing Partnership Corporation	2/9/18	\$71,632.50	\$70,173.13	N/A	Timesheet errors, rate adjustments

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Stephanie	Wang	Attorney	California Housing Partnership Corporation	\$355	2017	\$350
Stephanie	Wang	Attorney	California Housing Partnership Corporation	\$355	2018	\$360
Blanca	De La Cruz	Expert	California Housing Partnership Corporation	\$280	2017	\$280
Blanca	De La Cruz	Expert	California Housing Partnership Corporation	\$280	2018	\$285
Caroline	McCormack	Expert	California Housing Partnership Corporation	\$180	2017	\$180
Collin	Tateishi	Expert	California Housing Partnership Corporation	\$200	2017	\$200
Collin	Tateishi	Expert	California Housing Partnership Corporation	\$200	2018	\$205

(END OF APPENDIX)